

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED
DEC 15 2004

EAZYPower CORPORATION)

an Illinois corporation,)

Plaintiff/Counter-Defendant)

v.)

No. 04C 6372

JORE CORPORATION, a Montana)
corporation,)

Judge James B. Zagel
Magistrate Judge Levin

Defendant/Counter-Plaintiff)

NOTICE OF MOTION

To: Scott Gettleston
Katten Muchin Zavis Rosenman
525 W. Monroe Street, Suite 1900
Chicago, Illinois 60661

FILED
DEC - 9 2004
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

PLEASE TAKE NOTICE that on December 14, 2004 at 10:15 a.m., or as soon thereafter as counsel may be heard, I shall appear before the Honorable Judge Zagel or any judge sitting in his stead, in Room 2503, at 219 S. Dearborn St., Chicago, Illinois, and then and there present **Eazypower's Unopposed Motion to File Its Answer to Jore Corporation's Counterclaims *Instantly***, a true and correct copy of which is attached, and at which time and place you may appear as you see fit.

Respectfully submitted,

EAZYPower CORPORATION

By: 

One of Its Attorneys

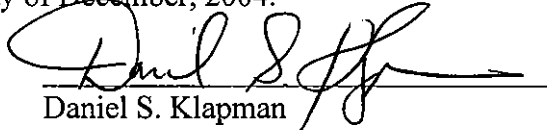
Frederic A. Mendelsohn
ARDC No. 06193281
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ARDC No. 06243250
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222 South Riverside Plaza, Suite 2100
Chicago, Illinois 60606
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CERTIFICATE OF SERVICE

To: Scott Gettleson
Katten Muchin Zavis Rosenman
525 W. Monroe Street, Suite 1900
Chicago, Illinois 60661
Fax: 312-577-8762

Daniel S. Klapman, one of the attorneys for plaintiff, Eazypower Corporation, hereby certifies that he caused a true and copy of **Eazypower's Unopposed Motion to File Its Answer to Jore Corporation's Counterclaims *Instantly***, to be served on the above identified by facsimile before the hour of 5:00 p.m. on the 9th day of December, 2004.


Daniel S. Klapman

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**EAZYPOWER'S UNOPPOSED MOTION TO FILE ITS ANSWER TO JORE
CORPORATION'S COUNTERCLAIMS INSTANTER**

Plaintiff/Counter-Defendant Eazypower Corporation ("Eazypower"), by its undersigned attorneys, respectfully moves this Court for leave to file its Answer to Defendant Jore Corporation's Counterclaims *instante*. In support of this Motion, Eazypower states as follows:

1. On October 1, 2004, Eazypower filed its Complaint for Patent Infringement with this Court. Jore Corporation ("Jore") was served with summons and a copy of the Complaint on October 15, 2004.
2. On November 2, 2004, Jore filed its Answer and Counterclaims.
3. Approximately two weeks have passed since the date the Answer to Jore's Counterclaims was due to be filed.
4. No motion for default on the Counterclaims has been filed.
5. No discovery has yet taken place.
6. Granting Eazypower leave to file its Answer to Jore's Counterclaims *instante* will in no way prejudice Jore.

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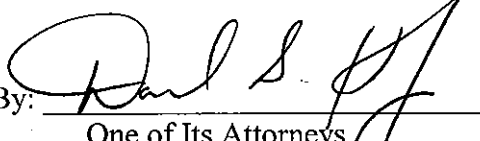
7. Jore has no objection to this Motion.

8. A copy of Eazypower's Answer to Defendant Jore's Counterclaims is attached hereto as Exhibit A.

WHEREFORE, Plaintiff/Counter-Defendant Eazypower Corporation respectfully requests that this Court grant it leave to file its Answer to Defendant Jore's Counterclaims *instantly*.

Respectfully submitted,

EAZYPOWER CORPORATION

By: 
One of Its Attorneys

Frederic A. Mendelsohn
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JORE CORPORATION, a Montana)	
corporation,)	
)	
Defendant/Counter-Plaintiff)	

ANSWER TO DEFENDANT JORE CORPORATION'S COUNTERCLAIMS

For its Answer to the Counterclaims of Defendant/Counter-Plaintiff Jore Corporation ("Jore"), Plaintiff/Counter-Defendant Eazypower Corporation ("Eazypower") states as follows:

1 - 8. Paragraphs 1 through 8 of Jore's Answers and Counterclaim consist of Jore's Answers and Affirmative defenses to Eazypower's Complaint, and therefore no answer is required. The Counterclaims begin with paragraph 9.

FIRST COUNTERCLAIM
(DECLARATION OF NON-INFRINGEMENT)

9. Eazypower admits the allegations contained in paragraph 9 of Jore's First Counterclaim.

10. Eazypower denies the allegations contained in paragraph 10 of Jore's First Counterclaim.

11. Paragraph 11 of Jore's First Counterclaim is a request for relief from this Court, and therefore no answer is necessary. To the extent an answer is required, Eazypower denies the allegation that Jore has not infringed the '929 patent.

12. Eazypower denies the allegations contained in paragraph 12 of Jore's First Counterclaim.

SECOND COUNTERCLAIM
(DECLARATION OF INVALIDITY)

13. Eazypower restates each and every answer to paragraphs 9-12 of Jore's First Counterclaim as its answer to paragraph 13 as though fully set forth herein.

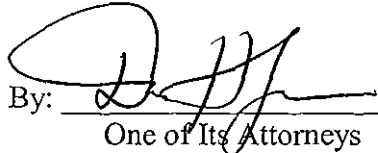
14. Eazypower denies the allegations contained in paragraph 14 of Jore's Second Counterclaim.

15. Paragraph 15 of Jore's Second Counterclaim is a request for relief from this Court, and therefore no answer is necessary. To the extent an answer is required, Eazypower denies that any claims of the '929 patent are invalid.

WHEREFORE, Plaintiff/Counter-Defendant Eazypower Corporation requests that this Court dismiss the Counterclaims of Defendant/Counter-Plaintiff Jore Corporation in their entirety with prejudice.

Respectfully submitted,

EAZYPOWER CORPORATION

By: 
One of Its Attorneys

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